

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA
AT ANCHORAGE

ALASKA RENT-A-CAR, INC.,)	
an Alaska Corporation,)	
)	
Plaintiff,)	
)	
v.)	
)	
CENDANT CORPORATION, et al.,)	
)	
Defendants.)	Case No. 3:03-cv-29 [TMB]
_____)	

STIPULATION AND ORDER RE: DM 35, 36, AND 37
REGARDING SCHEDULING

Following hearings and mediation sessions with the parties the discovery Master finds and concludes and the parties agree as follows:

DISPOSITIVE MOTIONS

The Discovery Master interprets the Court's Orders to permit the filing of dispositive motions after the close of fact discovery. Fact discovery will close on April 25, 2006. The parties have agreed that the deadline for filing opposition to any pending motion for summary judgment shall be 45 days, and any reply shall be 15 days, and that all dispositive motions shall be filed on or before June 20, 2006.

In the event any authorized and scheduled depositions cannot be completed by April 25, 2006 the deposition(s) shall be completed as soon thereafter as possible but this event shall not otherwise extend discovery or affect the foregoing deadlines including, without limitation, the parties' right to commence motion practice on April 26, 2006.

GENUINE SURPRISE

In the event that either party claims “genuine surprise” as to any document, testimony or other fact identified or submitted by the other party during motion practice, the “surprised” party may without delay file an expedited discovery motion with the Discovery Master seeking limited additional discovery. If the Discovery Master finds “genuine surprise” he may permit additional discovery, but this shall not affect the April 25, 2006 deadline or other foregoing deadlines. In the absence of a supplemental order from the Discovery Master no party shall submit further written discovery requests.

RULE 26 SUPPLEMENTAL DISCLOSURES

Supplemental disclosures under Civil Rule 26 are due on April 17, 2006.

WITNESS LISTS

Final witness lists are due April 17 2006.

EXPERT DISCOVERY

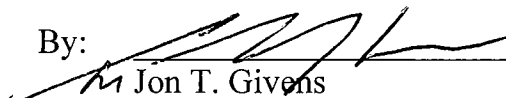
Expert reports shall be due September 1, 2006;

Supplemental/responsive expert reports shall be due September 21, 2006;

Expert discovery shall close November 1, 2006. The conduct of expert discovery will not delay the ability to certify the case is ready for trial.

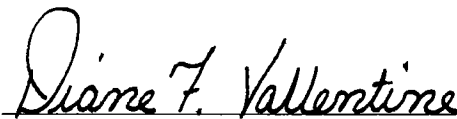
BANKSTON GRONNING O’HARA, PC
Attorneys for Plaintiff Alaska Rent-A-Car, Inc.

DATED: 4/13/06

By: 
Jon T. Givens
AK Bar #9011072

DLA PIPER RUDNICK GARY CARY LLP
Attorneys for Defendants

DATED: 4/13/06

By: 
for John F. Dienelt
Washington D.C. Bar #110742

JERMAIN, DUNNAGAN & OWENS PC
Attorneys for Defendants

DATED: 4/13/06

By: Diane F. Vallentine
Diane F. Vallentine
AK Bar #7710177

IT IS RECOMMENDED.

DATED: 4-13-06

D B Ruskin
DAVID B. RUSKIN
Special Master

ORDER

IT IS SO ORDERED.

DATED: _____

TIMOTHY M. BURGESS
Judge of the United States District Court

CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2006 a copy of foregoing
Stipulation and Order RE: DM 35, 36, and 37 Regarding Scheduling
was served electronically on Jon T. Givens, Diane F. Vallentine
and on

John F. Dienelt
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by regular U.S. Mail

s/David B. Ruskin